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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,568	03/30/2004	Rahul Gupta	12406-155001 / P2004,0388	3687
26181	7590	01/16/2008	EXAMINER	
FISH & RICHARDSON P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			GARRETT, DAWN L	
			ART UNIT	PAPER NUMBER
			1794	
			MAIL DATE	DELIVERY MODE
			01/16/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/812,568

Applicant(s)

GUPTA ET AL.

Examiner

Dawn Garrett

Art Unit

1794

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4, 6, 7, 9-22, 25, 26 and 28-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1, 2, 4, 6, 7, 9-22, 25, 26 and 28-49 is/are allowed.
- 6) ☒ Claim(s) 50 and 51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. This Office action is responsive to the amendment filed November 14, 2007.  
Claims 1, 2, 4, 11, 13, 17, 26, 28, 34, 49, and 50 were amended. Claim 51 was added.  
Claims 3, 5, 8, 23, 24, and 27 are canceled. Claims 1, 2, 4, 6, 7, 9-22, 25, 26, and 28-51 are pending.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. The rejection of claims 26 and 29-49 under 35 U.S.C. 103(a) as being unpatentable over Endo et al. (US 6,787,063) in view of Kwong et al. (US 6,982,179) is withdrawn due to the amendment.
4. The rejection of claims 26 and 29-49 under 35 U.S.C. 103(a) as being unpatentable over Kwong et al. (US 2004/0214038 A1) in view of Kwong et al. (US 6,982,179) is withdrawn due to the amendment.
5. The rejection of claims 26 and 29-49 under 35 U.S.C. 103(a) as being unpatentable over Ito et al. (US 2004/0021413 A1) in view of Kwong et al. (US 6,982,179) is withdrawn due to the amendment.
6. The rejection of claims 26, 29-44, 46-48 and 50 under 35 U.S.C. 102(b) as being anticipated by Towns et al. (US 2002/0011779 A1) is withdrawn due to the amendment and upon further consideration.

7. The rejection of claims 1-4, 6, 7, 9-13, 15-22, 24 and 25 under 35 U.S.C. 103(a) as being unpatentable over Towns et al. (US 2002/0011779 A1) in view of Yoshida et al. (US 6,395,209) is withdrawn due to the amendment.

8. The rejection of claim 14 under 35 U.S.C. 103(a) as being unpatentable over Towns et al. (US 2002/0011779 A1) in view of Yoshida et al. (US 6,395,209) in further view of Fleming (US 6,111,357) is withdrawn due to the amendment.

9. Claims 50 and 51 are rejected under 35 U.S.C. 102(b) as being anticipated by Okunaka et al. (US 2002/0106529). Okunaka et al. teaches a multi-layered organic electroluminescent device comprising layers (see abstract and figures). The insulator 9 forms a "pocket" and "deposition region" as required by claim 50 and is on a deposition surface. The claim does not set forth a particular material for the "resist". Okunaka et al. discloses a light emitting layer as well as other layers may be crosslinked (see abstract and par. 120). The device comprises a cathode (electrode layer) over the top of the other layers (see figure 8).

#### ***Response to Arguments***

10. Applicant's arguments filed November 14, 2007 have been fully considered but they are not persuasive. With respect to the rejection over Okunaka et al., the examiner notes the rejection over Okunaka et al. has been modified in this Office action as necessitated by amendment. Applicant has not specified a particular material for the component set forth as a resist in claim 50. The insulator 9 of Okunaka reads upon the pocket region as currently set forth.

***Allowable Subject Matter***

11. Claims 1, 2, 4, 6, 7, 9-22, 25, 26, and 28-49 are allowed. Applicant has incorporated previously indicated allowable subject matter into claims 1 and 26. See reasons give in last Office action (mailed June 15, 2007).

***Conclusion***

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dawn Garrett whose telephone number is (571) 272-1523. The examiner can normally be reached on Monday through Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on (571) 272-1398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dawn Garrett/

Dawn Garrett  
Primary Examiner  
Art Unit 1794